

BRIGHTON & HOVE CITY COUNCIL
CHILDREN & YOUNG PEOPLE COMMITTEE

4.00pm 21 JULY 2014

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Shanks (Chair)

Also in attendance: Councillor Wealls (Opposition Spokesperson), Pissaridou (Group Spokesperson), Brown, Gilbey, Lepper, Powell, Cox, Mac Cafferty and Randall

Other Members present: Councillors

PART ONE

17 PROCEDURAL BUSINESS

17(a) Declaration of Substitutes

17.1 Councillor Cox was present in substitution for Councillor Simson.
Councillor MacCafferty was present in substitution for Councillor A Kitcat.
Councillor Randall was present in substitution for Councillor Littman.

17(b) Declarations of interest

17.2 Mr M Jones stated that his wife worked at Hangleton Infant and Junior Schools.
Councillor Wealls stated that he was a Governor at St Andrew's C of E Primary School.

17(c) Exclusion of Press and Public

17.3 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100(I) of the Act).

17.4 **RESOLVED-** That the press and public not be excluded from the meeting during consideration of any item on the agenda.

18 CHAIR'S COMMUNICATIONS

18.1 The Chair was pleased to advise the Committee of the following;

Stonewall had named Brighton & Hove City Council as the top council in the country for tackling homophobic bullying in schools. Stonewall described the council as 'leading the way' in celebrating difference and supporting LGBT students.

The Legal Team had been shortlisted for the national Family Law Local Authority Team of the Year award.

The outcome of the ballot of parents, whose children attend Hove Park, showed the majority were against the school becoming an academy.

19 PUBLIC INVOLVEMENT

19. PUBLIC INVOLVEMENT

19a Petitions

19.1 There were none.

19b Written Questions

19.2 Mr S Jacques asked the following question:

There has been indecent haste about this whole process. The Local Authority is giving the impression of taking decisions 'on the hoof' to respond to a disparity in pupil places without a long-term strategy to address the underlying issues. A new school has been swept into the long grass as being too complicated and costly to countenance (at a time when major funds have been irresponsibly set aside to indulge the Council's own accommodation projects). The responses to the concerns raised about road safety, loss of recreational play space and disruption show a naive and dismissive understanding of the situation. And sending surveyors around the school in the midst of the consultation process was intimidating and in bad taste. The project risks damaging an excellent and popular school running at optimum efficiency. It is bad practice to operate on a healthy patient. A new site solution should be found irrespective of timescales. Will the Committee please confirm that it will heed the findings of this consultation?

The Chair gave the following response:

The possible expansion of St Andrew's has been developed through discussion with the Governing Body as representatives of the school community since October 2013 and this consultation is part of that process. The Committee will heed the findings of this consultation, and consider them alongside the duty to ensure as far as possible that there are suitable school places for all the children in our area. The issue of new schools is principally one of the lack of sites. The Council and others have commissioned site searches which are regularly updated – no site for a new school has been identified and no practicable sites have been suggested in the responses to this consultation. Other good and outstanding schools have been expanded and continue to

be good and outstanding. We celebrated recently the 'outstanding' Ofsted grade given to West Hove Infant School, now eight forms of entry across two sites. There is no reason to believe that the leadership and staff at St Andrew's could not maintain their high standards too, and I know they are committed to doing that, whatever the outcome of this proposal.

Mr S Jacques asked the following supplementary question:

I still maintain that these problems arise through a failure of forward planning and will continue to do so year on year as one school after another gets overloaded and squeezed to the point of suffocation. There needs to be a proper policy put in place rather than quick fix solutions.

The Chair gave the following response:

The Chair stated that the Authority was doing all it could to address the issues.

19.3 Mr W Brandt asked the following question:

The proposed plans include the conversion of half the grass playing field to an all-weather surface, but as you cannot have a surface for football or running that is half grass and half all-weather, this will make it impossible to retain either the football pitch or athletics track in their current form and size. Has the Council consulted with Sport England regarding the loss of these two sports facilities?

The Chair gave the following response:

The proposed plans have been drawn up in consultation with the school and they have been keen to explore ways of achieving more flexible play, PE and sports areas which could be available for a greater part of the year. The current proposal retains an area sufficiently large for an age appropriate football pitch but the current provision for athletics would change. It is a matter of achieving the right balance across the space available for different activities across the year. We recognise that Sport England would have to be satisfied that this was the case or they would object to any planning application. As we propose to explore further the option to use part of the Haddington Street car park, it may no longer be necessary to change the playing field.

Mr W Brandt asked the following supplementary:

The Department for Education publications "Advice on the Protection of School Playing Fields and Public Land" and "Area guidelines for mainstream schools: BB103" give recommendations for playing field area: The outdoor play area at St Andrews is approximately 6250m² – the Department for Education's recommended outdoor play area for a school of St Andrews' size is 16780m².

With the proposed extension of St Andrews to three forms of entry, according to those same guidelines, the recommended play area should increase to 24170m² (based on 270 infants and 384 juniors). We would have slightly more than a quarter of this. What are the committee's thoughts on being so far out of step with Dept of Education guidelines?

The Chair gave the following response:

The Chair stated that although the Authority would like the school to have more outdoor space it wasn't possible.

- 19.4 Ms L Brandt was not able to attend the meeting, but submitted the following question:
Does the council believe that sufficient information has been published during the consultation to allow members of the public to make an informed response?

The Chair provided the following written response:

The proposal to expand St Andrew's has been developed in consultation with the governing body since October 2013. The consultation process is similar to that used for other proposals in recent years. As well as answering questions at the public meeting, officers have provided in response to further questions two additional papers that were placed on the school's web site and signposted in newsletters to parents and attended a meeting with a small group of parents to discuss in particular the data about future pupil numbers and the availability of other sites.

- 19.5 Ms A Tate asked the following question:
With such a large majority of 86.64% against the expansion what can realistically be achieved by 2015? Surely its inevitable a new consultation on a new basis is required. What is the council's interim Plan B measure?

The Chair gave the following response:

The Council must consider all the responses carefully and decide whether there are ways that the concerns can be addressed and that the much needed new places can be achieved. Many responses suggested for example that the Council should consider using the Haddington Street car park for the extension, and this is being investigated. The report to this Committee sets out in Section 4 the possible alternatives to expanding St Andrew's: these are very limited and this is why we believe the proposal for St Andrew's is so important.

Ms Tate asked the following supplementary:

What background work have the Council done to ensure that the proposed expansion helps the under provisioned children of Brunswick/Adelaide Wards (and east) to secure local education?

The Chair gave the following response:

The admission of children to a school was not ward based. Where possible children would be offered places at their local school.

- 19.6 Joshua Stanley asked the following question:

Parents with SEND children have fled Davigdor Infants for St Andrews because of the modern facilities and space it offers. Don't the council and councillors realise that their doomed proposal of trying to cram in an extra 210 children at St Andrews is going to badly affect societies most vulnerable children, and aren't they ashamed of this, when they have £28.5 M of central Government funding to build new schools?

The Chair provided the following response:

The Council is not ashamed of trying to find the best way of providing local school places for local children. There is no evidence of parents with SEND children fleeing Davigdor Infant School for St Andrew's. Of the eleven children with statements at St Andrew's, only one previously attended Davigdor. There are currently three children with statements at Davigdor and four children with statements in the equivalent reception and Key Stage 1 age groups at St Andrew's. There are eleven children with statements at Somerhill Junior School and seven in the Key Stage 2 classes at St Andrew's. The total numbers of children with statements are therefore 14 at Davigdor and Somerhill and 11 at St Andrew's. The proportion of children with statements at St Andrew's is greater, but not as different as the question implies. The £28.5m capital grant is for new places across the primary and secondary age ranges over the next three years and is mostly allocated for new secondary school places. New schools are normally much more expensive than extensions to existing schools and there is a lack of suitable sites for new schools in this part of the city.

The following supplementary question was asked:

My father has shown me a SEND freedom of information request that clearly shows what I've said in my question to the committee is true. Would a steering group of this committee meet with my father and I so that we can demonstrate this extremely worrying trend, caused by the appalling over development of Davigdor infants, showing SEND children fleeing towards St Andrews School?

The Chair gave the following response:

The Chair reiterated that there was no evidence to support the fact that SEND children were fleeing Davigdor Infant School for St Andrew's.

19.7 Jessica Stanley asked the following question:

As the parents of St Peter's Primary have found out to their cost, the council expand a school without any traffic safety plan being put in place. Its obvious to a child like me that 990 children and 990 carers just won't fit into the already hopelessly over crowded streets around St Andrews school and the choc-a-bloc dangerous Tesco car park. Why are the Council treating the safety of us children in such a frighteningly casual manner?

The Chair gave the following response:

The Council takes the safety of children very seriously. In the case of St Peter's, as with other expansions, the council was required by the highway safety team to provide a capital sum to make changes to the roads and footways in the vicinity of the school to address the additional trips that would be generated by development. It would be the

same if the proposal for St Andrew's were to proceed and as part of the design development we always engage traffic experts to provide us with information and advice.

The following supplementary question was asked:

It's just not good enough that the councilors are throwing the issue of safety over to planning, like St Peters Primary found to their cost, and crossing their fingers that a child like me, or one of the other 989 children or their carers, won't be badly hurt, or worse, in an accident in the already hopelessly overcrowded streets around St Andrews School, and the choc-a-bloc dangerous Tesco car park. We children deserve much better than this! Can the committee please commit to a properly funded traffic and pedestrian safety study to assess just what radical solutions, such as pedestrianising Haddington Street, are required to keep us children safe, if the proposed expansion of St Andrews is to be considered by a new consultation in the future.

The Chair provided the following response:

The Chair said that it was important to consider traffic and safety issues, and the experts in that area would be appointed to do that.

19.8 Mr J Stanley asked the following question:

When will this administration realise that wasting £2.5 million on 15 planned community places in St Andrews, in the wrong place, to address the vexed issue of directed children is patently not the answer, and that they need to consider the following options:

- Making Holland Road a straight through 2 form entry primary in 2017, after taking emergency bulge classes in 2015 and 2016 under the Davigdor name on the Holland Road Site to keep the council stats on directed children in check.*
- Replacing the totally unsuitable Holland Road site (as a junior for West Hove Connaught Rd School) with a junior school on the old bowling alley on the seafront, which has remained empty for many years. The nearby bowls club which is under threat could be incorporated as a sports facility for the school rather than being turned into an ice cream parlour.*
- Alternatively place West Hove Connaught site under the control of the superb management and teaching team of St Andrews School and remodel the two sites as a infant school (Connaught Road) and Junior School (Belfast St) using the shared facilities of the superb sports field at St Andrews. The Holland Road site can then be made a straight through 2 form primary and a further new 2 form primary school can be built in an area of high demand once the council has commissioned better granularity and migration data.*
- Alternatively following through on Councillor Wealls pragmatic proposal to site a primary school on the rear of Kings House.*

The Chair provided the following response:

Clearly we do not accept that investment in St Andrew's would be wasting £2.5m. We would be investing, in partnership with the school and the Diocese, in an outstanding school which is popular and oversubscribed and which is also in that part of the city where there is an acute shortage of places. The question acknowledges by implication

that additional places are needed, but the alternative solutions proposed are dependent upon a new school being provided. As is explained in the report, various site searches have failed to identify a site for a primary school in this area. The old bowling alley site adjacent to the King Alfred Leisure Centre suggested by Mr Stanley has an area of 2,300 m². This would be very small for a two form entry primary school (14 classes). The West Hove Infant School (Connaught) site (12 classes) has an area of 2,880 m². The St Andrew's site area is 8,600 m², almost four times the size of the old bowling alley site. The old bowling alley site would also not be easy to develop. Not only is there a large void beneath it but this is in part taken up by mechanical and electrical plant which serves the King Alfred Leisure Centre. We have previously investigated using part of King's House for a primary school and this could be feasible. However, this site would not be available to open as a school before September 2017. Building a new school rather than expanding St Andrew's would be significantly more expensive. The £28.5m capital grant is for the three years 2014/15 to 2016/17 and is primarily to address the need for new secondary places that is about to start.

Mr Stanley asked the following supplementary question:

Both Councilor Anna Pissaridou, who proposed School Road, and Councillor Andrew Wealls, who proposed Kings House, recognise the urgent need for a new primary school. I also believe the absolute GP children numbers for the city are correct, with adequate capacity currently in place. With bulge classes announced in the last 5 out of 7 years, I also believe the granularity and migration forecasting of where children actually go, based on those same GP numbers, is absolutely awful, and in immediate need of a thorough overhaul from top to bottom. Based on those same awful granularity and migration forecasts, council staff are making terrible decisions, such as not building a vitally needed new school, and instead proposing over expansions at already over developed sites, such as Stanford and St Andrews. When these terrible decisions by council staff, over Stanford, and now St Andrews, are rejected with overwhelming majorities against their proposed over expansions and are then quite rightly thrown out by this committee, you the politicians then take the blame.

When are the politicians, in the form of the committee in front of us here now, to stop the tail wagging the dog, and insist that council staff commission vastly improved granularity and migration forecasting data as a matter of urgency, so that we can then all know where the shortage of places actually exists, and then build a school in the right place, using some of the £28.5 million pounds the council have secured from the Government for exactly this purpose?

The Chair said that a response to that question would be provided after the meeting.

19.9 Mr P Fleming asked the following question:

Can the council confirm (and provide evidence) that the consultation process has met council defined and national statutory criteria?

The Chair gave the following response:

Under the new School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2013 there is no longer a statutory 'pre-publication' consultation period

when it is proposed to permanently expand a school. However Guidance issued by the DfE in January 2014 states that “there is a strong expectation on Local Authorities to consult interested parties in developing their proposal prior to publication as part of their duty under public law to act rationally and take into account all relevant considerations.” The consultation period which has just been completed therefore accords with Government guidance. Once the further work on the proposals has been completed a further report will need to be brought back to committee for a decision to be made as to whether to proceed with the publication of statutory notices. If notices are published there will be a further period of four weeks during which any person or organisation can submit comments on the proposal to the Local Authority before a final decision is made.

Mr Fleming asked the following supplementary question:

We would expect to see transparent evidence of the following being complete during the process of consultation – list not limited to

- 1. Sufficient information for interested parties to make a decision on whether to support or challenge the proposed change*
- 2. Site Sequential Analysis – demonstrating adequate consideration has been given to alternative sites*
- 3. An assessment of the environmental impact of the proposed new development including additional traffic, noise, pollution, waste services etc.*
- 4. Assurance that the Secretary of State has approved the development of the 'education land'*
- 5. Assurance the key consultees like Sport England, English Heritage, local amenity groups [e.g Hove Civic Society, Hove Business Partnership etc] have been fully consulted and their views are published / transparent.*
- 6. Have elected Member decision making committees approved this scheme - has it been agreed by the council's Overview and Scrutiny Committee*
- 7. The effect on other schools, academies and educational institutions within the area*

The Chair provided the following response:

There was no legal obligation for the Authority to consult on the proposals. However, plans had been put in place to fully consult with all interested parties.

19c Deputations

19.10 There were none.

20 MEMBER INVOLVEMENT

20a Petitions

20.1 There were none.

20b Written Questions

20.2 There were none.

20c Letters

20.3 There were none.

20d Notices of Motion

20.4 There were none.

21 PROPOSED AMALGAMATION OF HANGLETON INFANT AND JUNIOR SCHOOLS FROM JANUARY 2015: OUTCOMES OF CONSULTATION

21.1 The Solicitor noted that Mr Jones had declared an interest in this item. As there was no substantive decision to be made, the Solicitor advised Mr Jones that he would be able to vote on the recommendations set out in the report.

21.2 The Committee considered a report of the Executive Director for Children's Services in relation to the proposed amalgamation of Hangleton Infant and Junior Schools. The report was introduced by the Head of Education Planning and Contracts.

21.3 The Committee were advised that there had been an amendment to Recommendation 2.2. The amendment was as follows:
~~*To agree to the publication of the required Statutory Notices to progress this proposal.*~~
To agree to the publication of the required Statutory Notices to progress this proposal and that the formal implementation date should be 1 September 2015.

21.4 The Chair asked whether the amalgamation could be effective for the start of the next academic year, and was advised that it couldn't as the Statutory Notices had to be published first.

21.5 RESOLVED:

(1) The Committee noted the responses to the consultation undertaken regarding the proposal in 1.1 of the report.

(2) The Committee agreed to the publication of the required Statutory Notices to progress this proposal and that the formal implementation date should be 1 September 2015.

(3) The Committee agreed that following the statutory notice period the matter be referred back to the meeting of the Children and Young People Committee on 13 October 2014 for a final decision.

22 PROPOSED EXPANSION OF SALTDEAN PRIMARY SCHOOL TO THREE FORMS OF ENTRY FROM SEPTEMBER 2015: OUTCOMES OF CONSULTATION

- 22.1** The Committee considered a report of the Executive Director for Children's Services in relation to the proposed expansion of Saltdean Primary School to three forms of entry from September 2015. The report was introduced by the Head of Education Planning and Contracts and the Head of Capital Strategy.
- 22.2** Councillor Lepper noted the low number of responses to the consultation and wondered if relevant parties knew the process was being undertaken. The Head of Education Planning and Contracts said that the same consultation process was used for all schools, and the number of responses could vary. A public meeting was held in Saltdean to discuss the proposals.
- 22.3** Councillor Gilbey noted that the Committee had already agreed to allow two temporary classrooms for the school. The Chair agreed they had as additional space was needed for the start of the next academic year (September 2014).
- 22.4** Mr Jones asked if the Authority would provide a draft plan of the proposed expansion. The Head of Capital Strategy said that during the Statutory Notice period meetings would be held at the school and draft plans would be available; those meetings would be attended by both officers of the Authority and the architect. The plans would be available for the next meeting of the Committee.

22.5 RESOLVED:

- (1) That the Committee noted the responses to the consultation undertaken regarding the proposal in paragraph 1.1 of the report.
- (2) That the Committee agreed to the publication of the required Statutory Notices to progress this proposal.
- (3) That the Committee agreed that following the statutory notice period the matter be further considered at the meeting of the Children Young People Committee on 13th October 2014 for a final decision.

23 REVIEW OF SECONDARY SCHOOLS ADMISSIONS PROCEDURES

- 23.1** The Committee considered a report of the Executive Director for Children's Services in relation to the review of secondary school admissions procedures. The report was introduced by the Head of Education Planning and Contracts.
- 23.2** A representative from the Youth Council referred to paragraph 3.3 of the report and asked if there would be changes to the catchment areas. The Head of Education Planning and Contracts said that the Cross Party Working Group would look at any changes necessary to take account in the growth in secondary school numbers.
- 23.3** Councillor Wealls said that any changes to the admissions procedures could have important implications for families, and so it was essential that the review was conducted correctly and fairly.

- 23.4 Councillor Randall said that he had been involved with the review a number of years ago which had resulted in the introduction of the catchment areas. That review had taken over a year to conclude and so it was important that sufficient time was allowed for this review, and he therefore supported the second timetable (paragraph 3.10 of the report).
- 23.5 Councillor Pissaridou said that the Labour & Co-operative Group supported the second timetable.
- 23.6 A representative from the Youth Council felt that people's opinions of schools changed over time, for example Brighton Aldridge Community Academy was becoming more popular. A longer timescale would take account of those changes.
- 23.7 Councillor Brown agreed that the second timetable was preferable. Possible changes to the admission criteria created uncertainty and it was important that the process wasn't rushed and people were given sufficient time to consider the issues.
- 23.8 Councillor Lepper said that any review would be difficult, but it was important to look at all the issues and look at what would be best for the whole city.
- 23.9 Councillor MaCafferty said that there were many issues which could impact on the review, and it was important that the process wasn't rushed and all facts fully considered.
- 23.10 Mr A Jeffrey said that it was important to remember that all parents wanted the best for their children and so sufficient time should be allowed for their views to be known.
- 23.11 A representative from the Youth Council noted that people didn't like changes to happen too fast, and if enough time were allowed people would begin to accept adjustments.

23.12 RESOLVED:

That the Committee agreed that, in order to secure sufficient time to explore all options, consult widely and develop a consensus around sustainable procedures the timescale set out in paragraph 3.10 of the report should be adopted.

24 PROPOSED EXPANSION OF ST ANDREW'S CHURCH OF ENGLAND PRIMARY SCHOOL TO THREE FORMS OF ENTRY FROM SEPTEMBER 2015: OUTCOMES OF CONSULTATION

- 24.1 The Solicitor noted that Councillor Wealls had declared an interest in this item. As there was no substantive decision to be made, the Solicitor advised that Councillor Wealls would be able to vote on the recommendations set out in the report.
- 24.2 The Committee considered a report of the Executive Director for Children's Services in relation to the outcome of the consultation on the proposed expansion of St Andrew's CE Primary School to three forms of entry from September 2015. The report was introduced by the Head of Education Planning and Contracts and the Head of Capital Strategy.

- 24.3** Mr Jones suggested that children did better in smaller environments, and increasing the size of the school would reduce the options parents had of attending a small school. Mr Jones asked if an Equality Impact Assessment had been done. The Head of Education Planning agreed that if the expansion went ahead the option of a smaller school would be lost, but said that children would thrive in any school if they were supported. It was confirmed that an Equality Impact Assessment would be conducted.
- 24.4** Councillor Pissaridou said that the Labour & Co-Operative Group would prefer a new school rather than increase the size of St Andrew's.
- 24.5** Councillor Wealls said that as Ward Councillor he was aware of the shortage of school places in the area, and additional ones needed to be found. The Local Authority could commission a new school in the area, and cited the example of the Free School which would be moving to Hove.
- 24.6** Councillor Lepper agreed the Labour & Co-Operative Group would like to see a new primary and secondary school built, rather than persuade well performing schools to take additional pupils. There should be a long term vision with good education provision across the city.

24.7 RESOLVED:

- (1) That the Committee authorise further work on the conditions contained in the Chair of Governors' letter of 2 July (Appendix 4) in order to secure a proposal which would attract fuller support.
- (2) That the Committee authorise further consideration of the possibility of including part or all of the Haddington Street car park in the design solution, taking into account how appropriate parking provision to meet local needs would continue to be made.
- (3) That the Committee requested that a further report be brought to a special meeting of the Committee in September, in order that a decision could be made as to whether to publish a Statutory Notice

25 ITEMS REFERRED FOR COUNCIL

25.1 There were no items to be referred to Council.

The meeting concluded at 6.10pm

Signed

Chair

